

RESOLUTION NUMBER **TMBC0505-01-08** OF THE DULY ELECTED AND
CERTIFIED GOVERNING BODY OF THE TURTLE MOUNTAIN BAND OF CHIPPEWA

- WHEREAS, the Turtle Mountain Band of Chippewa Indians, hereinafter referred to as the Tribe is an unincorporated Band of Indians acting under a revised Constitution and By-laws approved by the Secretary of the Interior on June 16, 1959 and amendments thereto approved: and
- WHEREAS, Article IX (a) Section 1 of the Turtle Mountain Tribal Constitution and By-Laws empowers the Tribal Council with the authority to represent the Band and to negotiate with Federal State, and Local Governments and with private persons; and
- WHEREAS, The Tribe finds the Appellate and Tribal Courts are failing to abide by and enforce the Tribal Code of 1976, with amendments, and 2006 updates (hereinafter Tribal Code); and
- WHEREAS, The Tribe has received several complaints from tribal members and their attorneys indicating the Tribal Court is permitting the State to erode Tribal sovereignty by allowing the State to use the Tribal Court as a collection agency in collecting child support from tribal members when the State does not have jurisdiction on the Reservation; now
- THEREFORE BE IT RESOLVED that the State is not allowed to file any law suits against any tribal members in Tribal Court on child support proceedings without first obtaining approval from the Tribal Council; or prior to the State filing the law suit in Tribal Court, the Tribal Court must consult with the Tribal Council and Tribal Attorney.

CERTIFICATION

I, the undersigned Tribal Secretary of the Turtle Mountain Band of Chippewa Indians, do hereby certify that the Tribal Council is composed of nine (9) members of whom (9) constituting a quorum were present at a duly called, convened, and held on the 16th of January, 2008, that the foregoing resolution was adopted by an affirmative vote of (8) in favor - Councilmen Stuart LaFountain, Elmer Davis, Jr., GT Monette, Jim Baker, Clarence 'Swede' Counts, Ernie Azure, Ted Henry, & Don keplin, and the Chairperson not voting.


Joleen Peltier, Tribal Secretary 1/23/08

- (☒) SIGNED INTO LAW/Dated this 28 Day of January, 2008
(☐) VETOED/Dated this _____ Day of _____, 2008
(☐) VETO OVERRIDDEN/Dated this _____ Day of _____, 2008


David 'Doc' Brien, Chairman